



State Of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MERRIMACK- SCHOOL BOARD

Complainant:

v.

CASE NO. T-0355

MERRIMACK TEACHERS ASSOCIATION, NEA-NH

DECISION NO. 84-26

and

NEA-NEW HAMPSHIRE

Respondent

APPEARANCES

Representing the Merrimack School Board

Eugene Van Loan, III, Esq., Counsel

Representing the Merrimack Teachers Association and NEA-NH

James Allmendinger, Esq., Counsel

Also in Attendance:

From the School Board: Alan Hall, Esq., Claude Leavitt, Supt., James M. O'Neil,
Asst. Supt., Ken Taylor, Jr., Pers. Dir., and Lon Woods.

From NEA-NH: Mel Myler, Ex. Dir., Wally Cumings, Jean Korafeld, Craig Farrell and
and Marc Benson.

From Association: Richard Geddes, Carol Lavallee, Lorraine L. Roy, Mary
Elizabeth Blair, Ken Moritz and Sharon Craig.

BACKGROUND

Unfair labor practice charges were filed December 20, 1983 by the Merrimack School Board against the Merrimack Teachers Association and NEA-New Hampshire alleging bad faith bargaining by the Association and its representative, NEA-NH relative to maternity and sick leave provisions and validity of Section 10.4, Leaves of Absence, etc.

In response, the Association and NEA-NH requested dismissal of the charges stating the School Board had not exhausted its administrative remedies provided by other statutes and challenged the lawfulness of the provision in the collective bargaining agreement.

Hearing on the charges was held in the office of the Board (PELRB) on March 29, 1983.

After the lunch recess, the parties stated that in view of the testimony presented during the morning session, they had held a consultation and were of the opinion that some negotiations on the matter might be productive. If acceptable to PELRB, the parties would accept an order to return to the table and report back the results of their efforts. The issue, if favorable negotiations were conducted, could very well resolve the case.

After consideration, PELRB issued the following:.

ORDER

1. The parties are hereby ordered to return to the negotiating table immediately following adjournment of this hearing.
2. A report, in writing must be submitted to PELRB no later than April 9, 1984.

The hearing recessed pending notification from the parties of the success or failure of their negotiations. Should negotiations fail, hearing will be reconvened for continuation.

ROBERT E. CRAIG, Chairman

Signed this 29th day of March, 1984

By unanimous vote. Chairman Craig presiding; members Hilliard and Roulx present and voting. Also present, Executive Director, Evelyn C. LeBrun